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 SAN BERNARDINO and JUSTIN
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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

A.H. and H.H., in each case a minor, by
 and through their guardian ad litem
 Crystal Hanson, individually and as
 successor in interest to Shane Holland,
 deceased; C.H., a minor, by and through
 her guardian ad litem, Reymi Updike;
 individually and as successor in interest
 to Shane Holland, deceased, and
 PATRICIA HOLLAND, individually,

Plaintiffs,

v.

COUNTY OF SAN BERNARDINO;
 JUSTIN LOPEZ, and DOES 1-10,
 Inclusive,

Defendants.

Case No. 5:23-CV-01028 JGB-SHK

*[Honorable Sunshine Jesus G. Bernal,
 Magistrate Judge, Shashi H.
 Kewalramani]*

**DECLARATION OF KAYLEIGH
 ANDERSEN IN SUPPORT OF
 DEFENDANTS' MOTION FOR
 SUMMARY JUDGMENT**

Filed concurrently with:

1. *Notice of Motion and Motion;*
2. *Statement of Uncontroverted Facts;*
3. *Declaration of Sergeant Anthony Scalise; and*
4. *[Proposed] Order*

Date: September 9, 2024
 Time: 9:00 a.m.
 Crtrm.: Courtroom 1

Action Filed: 06/02/2023

DECLARATION OF KAYLEIGH ANDERSEN

I, Kayleigh Andersen, declare as follows:

1. I am an attorney duly admitted to practice before this Court. I am an attorney with Manning & Kass, Ellrod, Ramirez, Trester LLP, attorneys of record for Defendants, COUNTY OF SAN BERNARDINO and JUSTIN LOPEZ. I have personal knowledge of the facts set forth herein, and if called as a witness, I could and would competently testify thereto. I make this declaration in support of Declaration of Kayleigh Andersen in Support of Defendants' Motion for Summary Judgment.

2. Attached hereto as Exhibit "A" is a true and correct copy of excerpts of the Deposition of Defendant Deputy Justin Lopez ("Lopez Depo.") dated April 11, 2024, which was taken in the instant case.

3. Attached hereto as Exhibit "B" is a true and correct copy of excerpts of the Deposition of Deputy Kristopher Hillebrand ("Hillebrand Depo.") dated June 25, 2024, which was taken in the instant case.

4. Attached hereto as Exhibit "C" is a true and correct copy of Robert Hanson's Witness Interview by the San Bernardino County Sheriff's Department and California Department of Justice on June 21, 2022, which was audio recorded ("Hanson Interview Audio") from the subject incident, which was produced in this case. [See Scalise Decl., ¶ 4.]

5. Attached hereto as Exhibit "D" is a true and correct copy of relevant excerpts of the certified transcription of Robert Hanson's Witness Interview by the San Bernardino County Sheriff's Department and California Department of Justice on June 21, 2022 which was audio recorded ("Hanson Interview Transcript") from the subject incident, which was produced in this case. [See Scalise Decl., ¶ 5]

6. Attached hereto as Exhibit "E" is a true and correct copy of Deputy Justin Lopez' belt recording ("Lopez Audio") from the subject incident, which was produced in this case. [See Scalise Decl., ¶ 6.]

7. Attached hereto as Exhibit "F" is a true and correct copy of relevant excerpts of the certified transcript of Deputy Justin Lopez' belt recording ("Lopez Transcript") from the subject incident, which was produced in this case. [See Scalise Decl., ¶ 7.]

8. Attached hereto as Exhibit "G" is a true and correct copy of the Deposition of Sergeant Mark Rios ("Rios Depo.") dated June 25, 2024, which was taken in the instant case.

9. On July 17, 2024, Defendants' counsel sent plaintiffs' counsel a comprehensive meet and confer letter inviting further discussions regarding the dispositive issues presented in this motion. Attached hereto as Exhibit "H" is a true and correct copy of Defendants' Meet and Confer Letter sent to plaintiffs' counsel.

10. The parties meet and confer discussions began on July 24, 2024 via email and written correspondence and continued by phone call on August 2, 2024.

11. Plaintiffs' counsel agreed to dismiss the following claims asserted in their operative complaint: (1) Claim 1, Unreasonable Detention and Arrest (42 U.S.C. § 1983); (2) Claim 3, Denial of Medical Care (42 U.S.C. § 1983); (3) Claim 5, Municipal Liability – Inadequate Training (42 U.S.C. § 1983); (4) Claim 6, Municipal Liability –Unconstitutional Custom, Practice, or Policy (42 U.S.C. § 1983).

12. However, the parties were unable to reach an agreement to resolve the remaining claims informally.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on August 9, 2024, at Los Angeles, California.

/s/ Kayleigh Anderson
Kayleigh Andersen